

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

DIVISION: BEAUMONT	§	DATE: 11/3/16
	§	
JUDGE: RON CLARK	§	REPORTER: Chris Bickham
	§	
MARK A. BARRY, M.D. <i>PLAINTIFF</i>	§	CIVIL NO.: 1:14cv104
	§	
MEDTRONIC, INC. <i>DEFENDANT</i>	§	
	§	C/R DEPUTY: Faith Ann Laurents

Attorneys for Petitioner: Sean DeBruine, Clay Holloway, Dario Machleicht, Laura Mullendore, Erwin Cena
Attorneys for Claimant: Mary-Olga Lovett, Scott Bornstein, Allan Kassenoff, Richard Pettus, Julie Bookbinder, Aimee Housinger, Clyde Siebman, Elizabeth Forrest

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD:

9:20am	Court's Voir Dire began.
9:30am	Individual Voir Dire.
9:35am	Ms. Mullendore began Voir Dire.
9:55am	Ms. Lovett began Voir Dire.
10:15am	Sidebar.
10:20am	Individual Voir Dire.
10:40am	Court recessed for Counsel to make strikes.
11:10am	Court resumed. Ten jurors seated and sworn. Court instructed jury.
12:00pm	Jury recessed for lunch.
	Court took up matters regarding Motions as to Biomet.
12:10pm	Court recessed.
1:30pm	Court resumed and ruled on objections to exhibits without the jury.
1:35pm	Jury seated. Court addressed jury regarding questions.
1:40pm	Opening by Mr. DeBruine.
1:50pm	Opening by Mr. Bornstein.
2:00pm	Witness, Mark Barry, M.D., sworn and direct by Mr. DeBruine began. PX#1, 2 admitted.
2:30pm	Court recessed.
2:45pm	Court resumed. PX#746, 601-605, 609, admitted.
3:55pm	Court recessed.
4:10pm	Court resumed. PX#21, 67, 19, 505, 563, 23, admitted.
5:00pm	Jury recessed.
	Court ruled on confidential exhibits on the record.
5:15pm	Court recessed.

DAVID O'TOOLE, CLERK

/s/ Faith Ann Laurents

Deputy Clerk

Jury Selection TIME: 2 hrs. 20 mins.

Trial TIME: 3 hrs. 10 mins.

☐ See Addt'l. Proceedings